

# **News Items and Public Crime Summary for Week Ending**

## **March 6, 2010**

### **Curacao - PdVSA Could Drop Curacao Refinery Lease to Protest USFOL**

Venezuelan state-owned oil company PdVSA may withdraw from the Isla refinery it operates in Curacao to protest U.S. military operations on the Caribbean island, Venezuelan Ultimas Noticias newspaper reported on Saturday, citing an interview with Venezuela's oil minister. Venezuela may order PdVSA to abandon its lease of the Isla refinery because the U.S. military has been staging "provocations" on Venezuela from Curacao, Oil Minister Rafael Ramirez was quoted as saying.

Venezuelan President Hugo Chavez, who has said the United States is plotting to invade his country, in December, accused Curacao of allowing the United States to launch spy flights over Venezuelan territory from the island.

Dutch officials rejected the accusations, and the U.S. government has denied any plans for military incursion into Venezuela.

The Isla refinery processes mostly Venezuelan crude oil, and PdVSA has in recent years tried to negotiate a purchase of the plant from Curacao's government, but no progress was made in the past two years, Antilles PM de Jongh-Elhage said.

Gasoline and other refined products from Isla are shipped to the United States, South America and other fuel markets.

PdVSA has faced a series of operational and emissions issues at Isla. Refinery units were shut for months last year due to power supply problems.

A Curacao judge ruled last May that PDVSA would have to carry out investments worth \$100 million at the plant to reduce sulfur and other particulate pollution, or eventually face multimillion dollar fines.

PdVSA has complained that tougher emissions standards in Curacao would cost up to \$1.5 billion to comply with.

Antilles PM Emily de Jongh-Elhage said that the USFOL agreement is not part of the lease agreement with PdVSA. In January, the Antillean Government canceled a last-minute request by Venezuelan Deputy Foreign Minister Francisco Arias Cardenas and PdVSA executive Asdrubal Chavez to visit Curacao for a meeting concerning the future of the Venezuelan state-owned PdVSA operated Isla refinery. De Jongh-Elhage reportedly said that she would like to reschedule the meeting and values a good relationship with Venezuela. (Various media)

### **Aruba – New Confession Concerning Missing Amcit Holloway**

Joran van der Sloot, the prime suspect in the disappearance of U.S. citizen Natalee Holloway, gave an emotional and descriptive account of what he says were Holloway's last moments the night she supposedly died. Van Der Sloot said that Natalee Holloway used cocaine, and fell to death from a balcony. His alleged new confession asserts graphic details of her death.

The Dutch daily Telegraaf reported that they viewed the videotaped conversation, which lasted two and a half hours, yesterday of van der Sloot's most recent interview with RTL 5, a Dutch television station. This latest alleged confession was shot at a hotel in

Dusseldorf, Germany. A full interview aired yesterday exclusively on the Dutch commercial network.

According to the Dutch tabloid, van der Sloot reveals the surname of his 20-year-old accomplice, A., and describes in detail how they allegedly brought Holloway to a friend's house where he says they drank whiskey and used cocaine. Later that evening, Holloway fell from the balcony and died.

The Aruba Justice Department is quick to dismiss the details of this latest alleged confession, telling the media that "We have been aware of the existence of this interview since August of last year. We investigated the claims made. The Aruban police investigated, with help from specialists with the Dutch police.

Spokeswoman for the Aruban Justice Department, Ann Angela continued to say that their "conclusion was that the statements made by Joran van der Sloot are entirely unbelievable."

Aruba Prosecutor Peter Blanken said, "It's a story that in and of itself does fit in terms of timing. But all the other things that could be investigated, and that means the story about the witnesses, the house, the height of the balcony, all those types of things don't add up in Joran van der Sloot's statement."

Blanken, told 'De Telegraaf' that a so-called confession in 2008 resulted in a new investigation into the disappearance of Holloway, but eventually concluded without results. "It became clear that this statement is held together by lies and fantasy," Blanken said. "Times are wrong and named witnesses have denied it." (Various media)

### **Aruba - Government and Valero Strengthen Agreement**

The Aruban government has strengthened the basic agreement with US-owned Valero-refinery. Aruba and Valero signed a declaration of intent last month which states that Valero will continue to keep the plant's employees on the payroll until at least June 1, 2010. Also, Valero and Aruba have reportedly settled various outstanding tax disputes. Aruban PM Mike Eman, Minister of Finances, Utilities, Communication and Energy Mike de Meza, and Valero-director Ray Buckley explained the details of the agreement yesterday.

The options to find a buyer have increased because of the signed agreement, Eman stated. The PM said that Dutch special energy envoy Jan-Meinte Postma will continue to help Aruba in the process to find a new owner for the Valero refinery.

Also, Aruba has attracted companies interested in possibly extracting natural gas from the waters surrounding the island and the government is willing to offer a package of concessions to interested parties. (Amigoe)

### **Curacao –Sentencing in Trafficking in Persons Case**

A judge sentenced the manager of local nightclub "De Rode Leeuw" to 18 months imprisonment and his assistant to 9 months in a Trafficking in Persons case. A third suspect was acquitted. The two men were sentenced for depriving two Dominican women of their freedom. The public prosecutor had demanded 36 months for both men each, but the judge said that the two females were aware of what was expected of them. (Various media)

## **Kingdom – Ministers of Justice Tripartite Meeting in Aruba**

The tripartite meeting between all the Kingdom Justice Ministers will take place in Aruba today. Dutch MoJ Hirsch Ballin, Antillean MoJ Magali Jacoba, and Aruban MoJ Arthur Dowers will discuss various topics, but human smuggling, trafficking in persons and illegal immigration in particular. (Various media)

## **Curacao – Annual Exercise Dutch and U.S. Forces**

Marines of the United States Marine Corps (USMC) will participate in a regularly scheduled yearly exercise on Curacao until late March. This exercise is part of a regularly scheduled exchange program. A platoon of USMC marines will take part in several diving and shooting exercises and will also work closely with Dutch Army forces, stationed on Curacao. Locations throughout Curacao will host training events to take advantage of the area's diverse terrain. (Various media)

## **Curacao – U.S. Consulate Co-Sponsors Clinic and Donates Baseball Equipment**

The United States Consulate General Curacao co-sponsored the visit of Kingdom of The Netherlands National Baseball Team Manager James Stoeckel.

Mr. Stoeckel participated in a baseball training clinic and a showcase. In addition to providing baseball clinic, Mr. Stoeckel donated, on behalf of the U.S. Consulate General, baseball bats, gloves, balls, and other baseball equipment to the Buena Vista Little League Baseball organization. (Various media)

## **Curacao – USFOL Gives Gift to the Community**

On February 12th 35 people from the U.S. Forward Operating Location (USFOL) in Curacao went out into the community to share the perfect Valentine's Day gift for those in need. Two projects encompassing 230 volunteer hours and US \$1200 worth of supplies and materials were going on simultaneously on this special day.

The first location was in Fuik where a large group gathered to completely paint the roof of the Funashon Amigunan di Cristo (Fuik Community Center). This long-standing center offers a vital after-school tutoring program for many children in Fuik as well as AWANA club on Sundays. It was the talk of the neighborhood as many neighbors reported, "The Center now has a new roof." The owners Cesar and Emma Eman could not be happier. Emma Eman said, "My heart jumped for joy when I saw the bright blue roof from blocks away."

The second location was at the Jan Doret Ball field where a smaller group gathered to help Coach Charlton Cijntje to clean up the park, work on the pitcher's mound, and paint the bathroom house and snack bar as he prepared for an upcoming tournament. Also, USFOL staff provided a Bobcat backhoe to make light work of building another access bridge to the field. Coach Cijntje coaches a team in which more than 125 teenagers are involved from the surrounding community. Coach Cijntje also leads the national Curacao World Series Little League team every year to Williamsport, PA for the championship series. Coach Cijntje was pleased by the progress that was made and the assistance given by the USFOL to provide his team a suitable place to practice and play baseball. (Extra)

## **Kingdom - Same Entry Rights for U.S. and European-Dutch Citizens**

A judge in St. Maarten ruled in the court case regarding the Crew's Nest Bar against the island territory St. Maarten that U.S. citizens have the same entry rights in the Netherlands Antilles as the European Dutch citizens, based on the Friendship, Commerce and Navigation Treaty between the U.S. and the Kingdom of the Netherlands. An Aruban judge ruled similarly after a U.S. citizen went to court in Aruba in 2007 because his request for an extension of his work/stay permit was denied based on a local law that limits such permits for foreigners to a maximum of three years. European Dutch citizens are allowed legal entry after a three-month stay in the Netherlands Antilles, according to the Land-regulation Entry and Deportation (LTU). Based on the treaty, U.S. citizens have the same non-discriminatory rights. [http://tcc.export.gov/Trade\\_Agreements/All\\_Trade\\_Agreements/exp\\_005868.asp](http://tcc.export.gov/Trade_Agreements/All_Trade_Agreements/exp_005868.asp) (Various media)

## **Curacao – Isla Refinery Blackout; Schools Closed**

The PdVSA- operated Isla refinery experienced technical problems which caused a blackout and a refinery shut down yesterday. Isla Refinery management announced that the BOO (Build, Own and Operate) plant - owned by Utility Company Aqualectra and Japanese Trading Company Marubini - that produces electricity, steam, desalinated water, and compressed air for the Isla Refinery and up to several megawatts for the national grid, is the culprit. The refinery has warned the community against possible disruptions and start-up process related pollution during the coming days. The incident was visual, because of the meters high flames causing thick black smoke. The local government ordered schools in the vicinity of the refinery to close immediately. (Various media)

## **Kingdom – Dutch MoJ Hopes To Continue Dissolution Process**

Dutch Justice Minister Ernst Hirsch Ballin does not want that the Dutch cabinet's fall will delay the dissolution of the Netherlands Antilles. He said so 3/1 after a meeting with Antillean PM Emily De Jongh-Elhage. "Both Dutch State Secretary Ank Bijleveld-Schouten and I hope that the dissolution of the Netherlands Antilles will move ahead. It is important that there will be no delay." A significant number of parties in Dutch parliament however want to put off the planned dissolution by declaring the issue controversial. De Jongh-Elhage is of the same opinion as Ballin and urges the Dutch parliament to continue to support the dissolution process without delays. (Various media)

## **St. Maarten – Scheduled Visit U.S. Vice-Consul**

The US Vice-Consul for the Netherlands Antilles and Aruba will be in St. Maarten for American citizen services on Friday, March 12, at the Parliament Building on Back Street. The Vice-Consul will be accepting applications for U.S. passports and reports of birth abroad to a U.S. citizen. Services will be provided on a "first come, first served basis" only. (Daily Herald)

## **Editorial in St. Maarten Daily Herald; Constitutional Train**

*Today the Antillean and Aruban Affairs NAAZ Committee of the Dutch Second Chamber is scheduled to decide on whether the consensus Kingdom laws related to the constitutional changes within the Kingdom are too “controversial” to handle in light of the fall of the Balkenende Cabinet leading to early parliamentary elections on June 9. In such cases, only things that can be considered “running matters” normally are dealt with, leaving any major policy decisions to the next Dutch Government and Parliament. There are indications that the draft Kingdom laws indeed may be handled by the outgoing Second Chamber after all, most likely those pertaining to the BES islands (Bonaire, St. Eustatius and Saba), and possibly even the ones for Curaçao and St. Maarten to become autonomous countries within the Dutch Kingdom once the Netherlands Antilles is dismantled.*

*The amendment to the Kingdom Charter to formalize the latter will have to be left to the next Dutch Parliament, however, as that is certainly considered a “major” decision. This also entails that the Netherlands Antilles will continue to exist legally as constitutional entity until such time.*

*But that does not mean the process of transferring Central Government tasks with accompanying budgets and personnel to the Island Territories concerned has to stop and Curaçao is in any case pushing on with March 15 as the target date. After all, the Antillean Government is free to decentralize departments as it already has done in the past, although it will maintain legal responsibility until the Kingdom Charter is amended and the Netherlands Antilles ceases to exist.*

*With elections in the Netherlands to be followed by a formation process that could be quite lengthy, as has been the case in the recent past, 10-10-10 might indeed prove too early for the new relations in the Kingdom to actually take effect. That is in itself no big problem, as the current Island Councils were voted into office until July 1, 2011, while the new Central Government to be sworn in on March 26 in principle has a four-year term.*

*As some point out, having the new relations go into effect either on January 1 or July 1 actually would make more sense in organizational, legal, administrative, fiscal and financial terms. That being the case, a new target date easily can be set for either January 1 or July 1, 2011.*

*The big question then becomes whether elections for an expanded new Island Council to become the first Parliament of Country St. Maarten should still be held somewhere mid-June as now tentatively scheduled. One consideration in that regard is that the islands just had elections for the Antillean Parliament on January 22.*

*In Curaçao there is the added problem that the PAR/FOL/PNP coalition doesn't have the two-thirds majority in the current Island Council needed to pass the constitution of future Country Curaçao. Lacking such a majority for the draft constitution, the Island Council would have to be dissolved and elections held in any case before it can be adopted.*

*So all in all, even if the Dutch Members of Parliament agree to go ahead and handle the necessary Kingdom Laws, the timing of the actual constitutional reforms may still change considerably in the months to come. However, with only the Kingdom Charter amendment remaining in such a case, the new Dutch Second Chamber to be elected on June 9 would be hard-pressed not to finalize the process and then somehow try to reverse a train that has long since left the station.*

## **Curacao – Isla Refinery Strike Causes Run for Gasoline; Venezuela Links to USFOL**

Yesterday, Venezuelan State-owned Oil Company PdVSA-operated Isla refinery employees went on an open-ended strike. A group of approx. 100 persons is blocking the entrance gates to the refinery since yesterday morning, prohibiting gasoline trucks from entering or leaving the refinery. A fear for gasoline shortages sparked panic buying and long lines at stations all over the island, after some gas stations reportedly ran out of gas.

A government spokesperson said there is no reason to panic, because there is sufficient fuel in stock for eight to twelve weeks. The Petroleum Workers Federation Union is expected to meet with refinery management later today in an attempt to end the strike. Workers are reportedly displeased by the performance of the BOO (Build, Own and Operate) plant that produces electricity, steam, desalinated water, and compressed air for the Isla Refinery and up to several megawatts for the national grid. Several blackouts caused by the BOO plant in the past years have severely hampered the refinery.

The threat by PdVSA to possibly withdraw from the Isla refinery to protest U.S. military counter-drug operations has resulted in workers fearing for their jobs. Venezuela's oil minister Ramirez stated on various occasions that Venezuela may order PdVSA to abandon its lease of the Isla refinery because the U.S. military has been staging "provocations" on Venezuela from Curacao. Lease negotiations between PdVSA and the government are strenuous; the lease expires in 2019.

Antilles PM Emily de Jongh-Elhage said in a reaction that the USFOL agreement and the PdVSA lease are unrelated. The USFOL is not mentioned in the lease and PdVSA not in the FOL agreement. The PM is of the opinion that the threats and remarks by Venezuelan government officials should stop because they interfere in the internal affairs of another sovereign state. "They show no respect," the PM said. De Jongh-Elhage stated that she has not officially been notified of a possible exit by PdVSA because of the USFOL presence. (Various media)

## **Curacao – Pretrial Date Set For Former ISC School Teacher**

Stephen Wayne Sudduth, a former International School of Curacao (ISC) teacher indicted in the U.S. after law enforcement officials in Texas found 57,000 images of child pornography and 1,000 videos of sex involving young children on his computer, has his pretrial date set for April 13, and his tentative court date for May 3.

He faces 30 counts of possession of child pornography and 10 counts of promotion of child pornography. Sudduth was arrested in July 2008, and remains in jail in lieu of US \$500,000 bail. The court in the U.S. denied his attempt to get his bail reduced. Sudduth taught kindergarten at ISC from 2006 to 2009. (La Prensa)

## **Netherlands - Elections Could Influence Stance Towards Antilles and Aruba**

The Dutch are going to the polls today to elect new local/municipal councils, just two weeks after the collapse of the Dutch government. Dutch parliament has been drawing up a list of controversial issues, on which it will not act until a new government has been formed. The Dutch will probably decide on matters concerning the Netherlands Antilles dismantling process and the 10-10-10 target date, tomorrow.

Although the results of the current Dutch elections cannot be simply translated to the national level for a variety of reasons (the turnout is much lower, the electorate is different and a great many local parties participate in these elections, which don't take part in national elections,) they are still viewed as an indication of the present popularity of national parties and could influence the Dutch stance towards the overseas entities. (Various media)

### **Aruba - Closure Valero Costly for Utility Company WEB**

The US-owned Valero refinery closure has resulted in substantial fuel transportation and handling fees increase for Aruba Water and Energy Company (WEB).

A WEB spokesperson said the company paid approx. US \$500,000 extra per month since January, and they project the costs will increase in the coming months.

"Due to the closure of the refinery, WEB had to obtain their fuel elsewhere. This caused extra costs which could lead to a tariff increase", the spokesperson said. (Various media)

### **St. Maarten – Anti-Money Laundering Information Session**

The St .Maarten Unusual Transactions Reporting Center (MOT) is organizing an information session today for jewelry stores and other new reporting entities.

The new entities, Notary Publics, Lawyers, Tax Advisors, Administration Offices, Jewelers, Accountants, Real Estate Agents and Car Dealers, are obliged by law to report suspected proceeds of crime and potential financing of terrorism to the MOT in order to counter money laundering and terrorism financing.

Banks and other financial based institutions such as money transfer companies already report to the MOT.

The MOT is a Financial Intelligence Unit (FIU) which is a central, national agency responsible for receiving (and, as permitted, requesting), analyzing and disseminating to the competent authorities, disclosures of financial information. (Daily Herald)

### **Curacao – Strike Ends; Gasoline Available**

Venezuelan state-owned Oil Company PdVSA-operated Isla refinery employees who demonstrated at the gates of the refinery on Tuesday, and Wednesday, over another halt in operations caused by a power outage are back at work, after the Petroleum Workers' Federation of Curacao (PWFC) Union signed an agreement with the government. The refinery is operated under a long-term contract by PdVSA which will expire in 2019.

The latest blackout occurred Sunday evening at the Isla oil refinery, where problems with electricity and water supplies led to at least five temporary shutdowns last year. Utility Company Aqualectra has struggled to fix the problem. The blackout led to various power outages on the island during the past few days. Aqualectra management announced yesterday that all problems were solved.

The government agreed to a US \$5.6 million capital injection in an attempt to upgrade the Aqualectra operated BOO (Build, Own and Operate) plant that produces electricity, steam, desalinated water, and compressed air for the Isla Refinery and provides power to the grid.

Angelo Meyer, president of the PWFC, said the blackouts mean bonuses for productivity will likely not be paid to union workers, leading to the frustrations behind the protest rally.

"Management argues that the power outages have caused losses in the millions. Here we are in 2010, and the problems continue," Meyer said.

Isla workers are also concerned that the refinery might close because Venezuelan President Hugo Chavez warned in early January, without giving details, that his government could reconsider its involvement with the refinery. Chavez has protested that Curacao and Aruba let U.S. military counter-drug flights to operate from the U.S. Forward Operating Locations (USFOLs) at their commercial airports. Some bloggers are of the opinion that opposition LdK party leader and MP Charles Cooper (employed by the Isla refinery) is the instigator of the protests in an attempt to negatively influence the opinion of the population towards the USFOL and to support Chavez.

Almost all gas stations ran out of gasoline yesterday, after Isla employees blocked the entrance gates to the refinery, prohibiting gasoline trucks from entering or leaving the refinery. Gasoline trucks were allowed to leave the Isla premises under police escort last night, thus restoring normalcy quickly. (Various media)

### **Curacao – Visit Brazilian Navy Logistics Landing Ship**

The Brazilian navy ship "BSN Almirante Saboia" is currently in Curaçao on a routine visit. The logistics landing ship with crew of 289 just got back from a relief mission in earthquake-ravaged Haiti and will stay until March 6. (Various media)

### **Curacao – U.S. Investors Interested in GiroBank Take-Over?**

Venezuelan Totalbank, a majority shareholder in Girobank, reportedly wants to sell its shares. A group of Mexican/American investors is apparently interested in purchasing the shares. Unofficial reports concerning a possible take-over are circulating for nearly two months, but GiroBank management does not want to make an official announcement. (Amigoe)

### **Editorial St. Maarten Daily Herald; Dismantling Date Under Pressure**

*While it is still to be confirmed in a public meeting next week, yesterday's report that a majority in the Second Chamber of the Dutch Parliament is willing to handle the Kingdom consensus laws to make the constitutional changes possible despite the fall of the Balkenende Cabinet is good news. As the First Chamber has also decided it won't declare the law proposals "controversial," the process can continue as agreed on. Mind you, the formal dismantling of the Netherlands Antilles won't take place until the Kingdom Charter is amended, a matter that will be left for the next Second Chamber, to be voted into office on June 9. In the meantime, however, the transfer of tasks with accompanying personnel and budgets to the Island Territories and future entities St. Maarten and Curaçao may continue.*

*Whether the new relations within the Kingdom can still take effect on 10-10-10 is another story and will then depend on when the charter can be amended. That in turn has to do with how long the formation of the new Dutch Cabinet will take, assuming, of course, there will be enough support for the amendment in the new Second Chamber. But the date itself is less important than maintaining the momentum at this point, and if the outgoing Dutch Parliament indeed handles the law proposals in question it will go a long way towards ensuring just that.*

*What is an issue, however, is the election for an expanded Island Council to become the first Parliament of New Entity St. Maarten, now tentatively scheduled for mid-June.*



*Without clarity when exactly the Kingdom Charter will be amended, the assumption may have to be made that 10-10-10 can still be achieved and that the elections should proceed as planned, even though it will be the second time the islands go to the polls in less than five months.*

## **CURAÇAO**

### ***Revised Criminal Code to be discussed by new Parliament***

After the new Members of Parliament have been sworn in this month, the revised Netherlands Antilles Criminal Code will be discussed. The revised Criminal Code was submitted by the Antillean Advisory Council to Parliament last year.

The new Criminal Code includes an increase of maximum fines. The travel prohibition for convicted drug couriers, rejected by the High Court in The Hague in the past because it had no legal basis, has also been added. Other additions include revised articles in juvenile criminal law, work punishment ("taakstraffen"), and provisions for victims of crime and their right to compensation for damages (Amigoe).

## **ARUBA**

### ***Crime February 26 – March 4***

On March 2 home owners in Pavia Park were robbed by several masked men who had broken into their home (Diario Aruba).

## **ST. MAARTEN**

### ***Crime February 26 – March 4***

On February 26 a jewelry store in Philipsburg was robbed by two men (Daily Herald).

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*"The Weekly Press Summary is a compilation of stories running in the Netherlands Antilles and Aruban press that is intended to alert readers about items of interest to them. There is no interpretation or verification of the facts contained therein."*